

IN THE UNITED STATES DISTRICT COURT

**JOSEPH DAVIS,  
STEPHEN KONCE,  
SHAWN JONES, and  
ANTOINE HARRISON**

**:** Criminal No. \_\_\_\_\_

**:** Date Filed: \_\_\_\_\_

**:** Violations: 18 U.S.C. § 1951(a)  
(conspiracy to interfere with commerce  
by robbery - 1 count)

**:** 18 U.S.C. § 1951(a) (interference with  
commerce by robbery - 17 counts)

**:** 18 U.S.C. § 2 (aiding and abetting)

**INDICTMENT**

COUNT ONE

## THE GRAND JURY CHARGES THAT:

AT ALL TIMES MATERIAL TO THIS INDICTMENT:

1. The 7-Eleven convenience store, located at 169 West City Avenue, Bala Cynwyd, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, cigars, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. The A-Plus/Sunoco convenience store, located at 101 Belmont Avenue, Bala Cynwyd, Pennsylvania, was engaged in the retail sale of gasoline, fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

3. The Wawa convenience store, located at 847 East Moyamensing Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

4. The CVS/Pharmacy convenience store, located at 3101 South 70<sup>th</sup> Street, Philadelphia, Pennsylvania, was engaged in the retail sale of pharmaceuticals, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

5. The Amoco convenience store, located at 3000 South Broad Street, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, cigars, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

6. The Mobil Gas convenience store, located at 5511 Ridge Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

7. The 7-Eleven convenience store, located at 5022 City Line Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

8. The Wawa convenience store, located at 189 Belmont Avenue, Bala Cynwyd, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

9. The A-Plus/Sunoco convenience store, located at 401 Lincoln Avenue, Prospect Park, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

10. The Rite Aid convenience store, located at 1500 West Moyamensing Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of pharmaceuticals, cigarettes,

and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

11. The CVS/Pharmacy convenience store, located at 518 Port Royal Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of pharmaceuticals, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

12. The Mobil convenience store, located at 4400 City Line Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

13. The 7-Eleven convenience store, located at 9001 Frankford Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

14. The A-Plus/Sunoco convenience store, located at 59 East Oregon Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

15. The 7-Eleven convenience store, located at 5231 Harbison Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

16. The CVS/Pharmacy convenience store, located at 1901 Oregon Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of pharmaceuticals, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

17. From on or about March 11, 2002 through on or about May 12, 2002, in Philadelphia, Montgomery, and Delaware Counties, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE,  
SHAWN JONES, and  
ANTOINE HARRISON**

together conspired and agreed to unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, that is, to unlawfully take property, specifically, merchandise, cash, and other items of value, from the person and presence of employees and customers of the convenience stores listed in Paragraphs 1 through 16 above, against their wills, by means of actual and threatened force, and violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession belonging to the respective convenience stores listed, all in violation of Title 18, United States Code, Section 1951(a).

**MANNER AND MEANS**

It was part of the conspiracy that:

18. Defendant JOSEPH DAVIS recruited defendants STEPHEN KONCE, SHAWN JONES, and ANTOINE HARRISON to rob convenience stores in order to secure funds to pay off a personal debt.

19. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES planned and executed the robberies of the convenience stores listed in Paragraphs 1 through 10 and 12 through 16 above.

20. Defendant ANTOINE HARRISON joined defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES in planning and executing the robberies of the convenience stores listed in Paragraphs 8 and 9 above.

21. Defendant ANTOINE HARRISON joined defendant JOSEPH DAVIS in planning and executing the robbery of the convenience store listed in Paragraph 11 above.

22. The defendants used, variously, threats and intimidation, a knife, a box cutter, and a starter gun to achieve their purpose of stealing cigarettes, other merchandise, cash, coins, and customers' property, as opportunity permitted during the convenience store robberies.

23. The defendants shared among themselves the proceeds of the convenience store robberies in which they participated.

#### OVERT ACTS

In furtherance of the conspiracy, the defendants committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

##### On or about March 14, 2002:

1. Defendants JOSEPH DAVIS and STEPHEN KONCE recruited defendant SHAWN JONES to commit robberies of convenience stores with them.

2. Using a stolen car, defendant JOSEPH DAVIS drove the defendants STEPHEN KONCE and SHAWN JONES to the 7-Eleven convenience store, located at 169 West City Avenue, Bala Cynwyd, Pennsylvania.

3. One of the three defendants entered the 7-Eleven convenience store to "case" it before the planned robbery.

4. Shortly after the above defendant left the store, defendants JOSEPH

DAVIS, STEPHEN KONCE, and SHAWN JONES entered the store together.

5. One of the defendants ordered the store clerk to put his hands in the air.

6. The defendants stole approximately \$200 cash, three boxes of cigars (retail value: approximately \$150), and about thirty cartons of cigarettes (retail value: approximately \$870).

7. Defendant JOSEPH DAVIS sold the cigarettes for cash.

8. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 4, 2002:

9. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the A-Plus/Sunoco convenience store, located at 101 Belmont Avenue, Bala Cynwyd, Pennsylvania.

10. Defendant SHAWN JONES demanded that the store clerk open the cash register.

11. One of the defendants told the store clerk that he had a gun.

12. The defendants stole approximately \$1,696 cash and about fifty cartons of cigarettes (retail value: approximately \$2,045).

13. Defendant JOSEPH DAVIS sold the cigarettes for cash.

14. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 10, 2002:

15. Using a stolen car, defendant JOSEPH DAVIS drove defendants

STEPHEN KONCE and SHAWN JONES to the Wawa convenience store, located at 847 East Moyamensing Avenue, Philadelphia, Pennsylvania.

16. The defendants demanded money from the store clerk.
17. Defendant SHAWN JONES threatened the store clerk with a knife.
18. One of the defendants demanded that the store clerk open the safe.
19. The defendants stole an undetermined amount of cash and cartons of cigarettes and an undetermined number of magazines.
20. Defendant JOSEPH DAVIS sold the cigarettes for cash.
21. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 12, 2002:

22. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the CVS/Pharmacy convenience store, located at 3101 South 70<sup>th</sup> Street, Philadelphia, Pennsylvania.
23. Defendant STEPHEN KONCE threatened the store clerk by holding a knife to his penis.
24. The defendants stole approximately \$128 cash and about 30 cartons of cigarettes (retail value: approximately \$1,200), which they carried from the store in a trash bag.
25. Defendant JOSEPH DAVIS sold the cigarettes for cash.
26. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 12, 2002:

27. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the Amoco convenience store, located at 3000 South Broad Street, Philadelphia, Pennsylvania.

28. One of the defendants told the store clerk that he wanted to buy fifty cartons of Newport cigarettes for a business that he claimed to operate nearby.

29. Defendant SHAWN JONES demanded money from the clerk at the point of a box cutter.

30. The defendants stole approximately \$225 cash and several boxes of Phillies Blunt cigars (retail value: approximately \$10-20).

31. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 15, 2002:

32. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES in a stolen car to the Rite Aid convenience store, located at 5911 Ridge Avenue, Philadelphia, Pennsylvania.

33. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES entered the Rite Aid convenience store to "case" it for a robbery and intending to commit a robbery there.

34. The defendants were armed with a knife to use in the intended robbery.

35. The defendants agreed not to rob the Rite Aid convenience store.

36. When they left the Rite Aid convenience store, the defendants saw a police



car stopped near the stolen car in which they had driven to the store.

37. To evade detection by law enforcement, defendant JOSEPH DAVIS walked away from the car, separating from the other defendants.

38. To evade detection by law enforcement, defendants STEPHEN KONCE and SHAWN JONES walked away from the car together.

39. To evade detection by law enforcement, defendant SHAWN JONES threw the knife into bushes.

40. To evade detection by law enforcement, defendant JOSEPH DAVIS gave a statement to the police in which he denied having stolen the car and did not reveal that he and defendants STEPHEN KONCE and SHAWN JONES had planned to rob the Rite Aid convenience store.

41. To evade detection by law enforcement, defendant SHAWN JONES gave a statement to the police in which he denied having stolen the car and did not reveal that he and defendants JOSEPH DAVIS and STEPHEN KONCE had planned to rob the Rite Aid convenience store.

42. Several days later defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES returned to the area, and JONES retrieved the knife for use in future robberies.

On or about April 23, 2002:

43. Defendant JOSEPH DAVIS supplied a starter gun for use in robbing convenience stores.

44. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the Mobil convenience store, located at 5511 Ridge Avenue,

Philadelphia, Pennsylvania.

45. The defendants entered the store and demanded money from the clerk at point of the starter gun and knife.

46. Defendant SHAWN JONES fired the starter gun.

47. Defendant STEPHEN KONCE held the above knife to the neck of the clerk.

48. The defendants stole approximately \$500 cash.

49. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 23, 2002:

50. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the 7-Eleven convenience store, located at 5022 City Line Avenue, Philadelphia, Pennsylvania.

51. The defendants entered the store and demanded money from the clerk at point of the starter gun and knife.

52. The defendants stole an undetermined amount of cash and an undetermined number of cartons of cigarettes.

53. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 24, 2002:

54. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the Wawa convenience store, located at 847 East Moyamensing Avenue,

Philadelphia, Pennsylvania.

55. The defendants entered the store and demanded money from the clerk at the point of a knife.

56. One of the defendants held the knife to the store employee's stomach.

57. Defendant SHAWN JONES carried the starter gun to facilitate the robbery.

58. The defendants stole approximately \$450 cash.

59. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 25, 2002:

60. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE, SHAWN JONES, and ANTOINE HARRISON to the Wawa convenience store, located at 189 Belmont Avenue, Bala Cynwyd, Pennsylvania.

61. The defendants entered the store and demanded money from the clerk at the point of the knife and starter gun.

62. Defendant SHAWN JONES held a starter gun to the chest of a female employee of the store while defendant JOSEPH DAVIS emptied a cash register.

63. Defendant SHAWN JONES struck the female employee of the convenience store on the head with the butt of the starter gun, threatened to kill her if she did not open the store safe, stole cash from the portion of the safe which could be opened, and stole cash from the cash register.

64. The defendants ordered customers of the store to empty their pockets and

stole cash from a number of customers.

65. Using a knife, which he held to a store employee's stomach, defendant STEPHEN KONCE forced the store employee into the back of the store, stole cartons of cigarettes, and attempted to force the employee to open the tape machine for the store's videotape security surveillance system.

66. The defendants stole approximately \$1,390 cash, an undetermined number of cartons of cigarettes, and more than \$50 cash from customers.

67. Defendant JOSEPH DAVIS sold the cigarettes for cash.

68. Defendants JOSEPH DAVIS, STEPHEN KONCE, SHAWN JONES, and ANTOINE HARRISON divided the proceeds of the robbery among themselves.

On or about April 25, 2002:

69. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE, SHAWN JONES, and ANTOINE HARRISON to the A-Plus/Sunoco convenience store, located at 401 Lincoln Avenue, Prospect Park, Pennsylvania.

70. The defendants entered the store and demanded money from the clerk at the point of the starter gun.

71. Defendant SHAWN JONES put a starter gun to the clerk's side of the clerk and demanded that he open the cash register and safe.

72. The defendants carried numerous boxes of cigarettes from the back of the store to their getaway car.

73. The defendants stole approximately \$422 cash, approximately 133 cartons of cigarettes (retail value: approximately \$6,410), and approximately 49 lighters (retail

value: undetermined).

74. Defendant JOSEPH DAVIS sold the cigarettes for cash.

75. Defendants JOSEPH DAVIS, STEPHEN KONCE, SHAWN JONES, and ANTOINE HARRISON divided the proceeds of the robbery among themselves.

On or about April 27, 2002:

76. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the Rite Aid convenience store, located at 1500 West Moyamensing Avenue, Philadelphia, Pennsylvania.

77. Defendants STEPHEN KONCE and SHAWN JONES entered the store and demanded money from the clerk at the point of the starter gun.

78. The defendants stole approximately 20 cartons of cigarettes (retail value: approximately \$360).

79. The defendant JOSEPH DAVIS sold the cigarettes for cash.

80. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about April 28, 2002:

81. Defendant JOSEPH DAVIS drove defendant ANTOINE HARRISON to the CVS/Pharmacy convenience store, located at 518 Port Royal, Philadelphia, Pennsylvania.

82. Defendant ANTOINE HARRISON supplied a starter gun to facilitate the robbery of the convenience store.

83. The defendants entered the store and demanded money from the clerk at the point of the starter gun.

84. When an employee resisted the robbery, defendant JOSEPH DAVIS yelled to defendant ANTOINE HARRISON to "shoot her."

85. Defendant ANTOINE HARRISON struck the store employee with the starter gun.

86. Defendants stole approximately 20 cartons of cigarettes (retail value: approximately \$360 cash).

87. Defendant JOSEPH DAVIS sold the cigarettes for cash.

88. Defendants JOSEPH DAVIS and ANTOINE HARRISON divided the proceeds of the robbery among themselves.

On or about May 7, 2002:

89. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the Mobil convenience store, located at 4400 City Line Avenue, Philadelphia, Pennsylvania.

90. The defendants entered the store and demanded money from the clerk at the point of the starter gun.

91. The defendants stole approximately \$140 cash and an undetermined number of cartons of cigarettes.

92. Defendant JOSEPH DAVIS sold the cigarettes for cash.

93. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about May 7, 2002:

94. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and

SHAWN JONES to the 7-Eleven convenience store, located at 9001 Frankford Avenue, Philadelphia, Pennsylvania.

95. The defendants entered the store and demanded money from the clerk at the point of the knife and starter gun.

96. Defendant STEPHEN KONCE cut the clerk on the hand with the knife.

97. The defendants stole an undetermined amount of cash, emptying the cash register, and merchandise of undetermined value.

98. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about May 7, 2002:

99. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the A-Plus/Sunoco convenience store, located at 59 Oregon Avenue, Philadelphia, Pennsylvania.

100. Defendants STEPHEN KONCE and SHAWN JONES entered the store and demanded money from the clerk at the point of the knife and starter gun.

101. Defendant SHAWN JONES struck an employee of the convenience store with the butt of the starter gun.

102. The defendants stole an undetermined amount of cash, defendants STEPHEN KONCE and SHAWN JONES emptying two cash registers.

103. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about May 9, 2002:

104. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the 7-Eleven convenience store, located at 5231 Harbison Avenue, Philadelphia, Pennsylvania.

105. The defendants entered the store and demanded money from the clerk at the point of the knife and starter gun.

106. Defendant SHAWN JONES struck an employee of the convenience store with the butt of the starter gun.

107. Defendant JOSEPH DAVIS struck an employee of the convenience store with a cigarette rack.

108. The defendants stole approximately \$600 cash.

109. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

On or about May 9, 2002:

110. Defendant JOSEPH DAVIS drove defendants STEPHEN KONCE and SHAWN JONES to the CVS/Pharmacy convenience store, located at 1901 Oregon Avenue, Philadelphia, Pennsylvania.

111. The defendants chose not to rob the convenience store, drove around, committed the above robbery of the 7-Eleven convenience store, described in Overt Acts 104-09, and returned to the CVS/Pharmacy convenience store.

112. The defendants entered the store and demanded money from the clerk at the point of the knife and starter gun.



113. The defendants stole approximately \$10,240 cash (approximately \$9,900 from the convenience store and approximately \$340 from patrons).

114. Before the defendants fled, defendant JOSEPH DAVIS kicked a security guard in the head.

115. Defendants JOSEPH DAVIS, STEPHEN KONCE, and SHAWN JONES divided the proceeds of the robbery among themselves.

**All in violation of Title 18, United States Code, Section 1951(a).**

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about March 14, 2002, the 7-Eleven convenience store, located at 169 West City Avenue, Bala Cynwyd, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, cigars, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about March 14, 2002, in Montgomery County, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$200 cash, approximately three boxes of cigars (retail value: approximately \$150), and approximately thirty cartons of cigarettes (retail value: approximately \$870), from the person and presence of an employee of the 7-Eleven convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the 7-Eleven convenience store, that is, by ordering the employee to put his hands in the air and otherwise threatening him.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 4, 2002, the A-Plus/Sunoco convenience store, located at 169 West City Avenue, Bala Cynwyd, Pennsylvania, was engaged in the retail sale of gasoline, fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 4, 2002, in Montgomery County, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$1,696 cash and approximately fifty cartons of cigarettes (retail value: approximately \$2,045), from the person and presence of an employee of the A-Plus/Sunoco convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the A-Plus/Sunoco convenience store, that is, by telling the employee that the robbers had a gun and otherwise threatening the employee of the A-Plus/Sunoco convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 10, 2002, the Wawa convenience store, located at 847 East Moyamensing Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 10, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, an undetermined amount of cash and cartons of cigarettes and an undetermined number of magazines, from the person and presence of employees of the Wawa convenience store, against their wills by means of actual and threatened force, and violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession belonging to the Wawa convenience store, that is, by using a knife to threaten and demand money from the employees and otherwise threatening the employees of the Wawa convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 12, 2003, the CVS/Pharmacy convenience store, located at 3101 South 70<sup>th</sup> Street, Philadelphia, Pennsylvania, was engaged in the retail sale of pharmaceuticals, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 12, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$128 in cash and approximately thirty cartons of cigarettes, from the person and presence of an employee of the CVS/Pharmacy convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the CVS/Pharmacy convenience store, that is, by holding a knife to the employee's penis to threaten and demand money and personal property from the employee and otherwise threatening the the employee of the CVS Pharmacy convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 12, 2002, the Amoco convenience store, located at 3000 South Broad Street, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, cigars, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 12, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$225 in cash and several boxes of Phillies Blunt cigars (retail value: approximately \$10-\$20), from the person and presence of an employee of the Amoco convenience store, against her will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to her person and property, and property in her custody and possession belonging to the Amoco convenience store, that is, by using a box cutter and the threat "stick her" to threaten and demand money from the employee, and otherwise threatening the employee of the Amoco convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 23, 2002, the Mobil convenience store, located at 5511 Ridge Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 23, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$500 in cash, from the person and presence of an employee of the Mobil Gas convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the Mobil Gas convenience store, that is, by firing a starter gun, holding a knife to the employee's neck, and otherwise threatening the employee of the Mobil Gas convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 23, 2002, the 7-Eleven convenience store, located at 5022 City Line Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 23, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, an undetermined amount of cash and an undetermined number of cartons of cigarettes, from the person and presence of an employee of the 7-Eleven convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the 7-Eleven convenience store, that is, by using a starter gun and knife to threaten and demand money and personal property from the employee and otherwise threatening the employee of the 7-Eleven convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT NINE



THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 24, 2002, the Wawa convenience store, located at 847 East Moyamensing Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 24, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$450 in cash and other items of value, from the person and presence of an employee of the Wawa convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the Wawa convenience store, that is, by using a starter gun and knife, which was held to the employee's stomach, to threaten and demand money and personal property from the employee and otherwise threatening the employee of the Wawa convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 25, 2002, the Wawa convenience store, located at 189 Belmont Avenue, Bala Cynwyd, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 25, 2002, in Montgomery County, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE,  
SHAWN JONES, and  
ANTOINE HARRISON**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$1390 cash from the convenience store, approximately \$50 cash from patrons, and an undetermined number of cartons of cigarettes, from the person and presence of employees of the Wawa convenience store and from its patrons, against their wills by means of actual and threatened force, and violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession belonging to the Wawa convenience store, that is, by using the starter gun and knife to threaten and demand money and personal property from an employees and patrons, by striking an employee with the butt of the starter gun, by threatening to kill the employee, by ordering patrons to empty their pockets, and otherwise threatening employees and patrons of the Wawa convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 25, 2002, the A-Plus/Sunoco convenience store, located at 401 Lincoln Avenue, Prospect Park, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 25, 2002, in Delaware County, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE,  
SHAWN JONES, and  
ANTOINE HARRISON**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$422 in cash, approximately 133 cartons of cigarettes (retail value: approximately \$6,410), and other items of value, from the person and presence of an employee of the Wawa convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the A-Plus/Sunoco convenience store, that is, by using a starter gun to threaten and demand money and personal property from the employee and otherwise threatening the employee of the A-Plus/Sunoco convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 27, 2002, the Rite Aid convenience store, located at 1500 West Moyamensing Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of pharmaceuticals, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 27, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately twenty cartons of cigarettes (retail value: approximately \$360), from the person and presence of an employee of the Rite Aid convenience store, against her will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to her person and property, and property in her custody and possession belonging to the Rite Aid convenience store, that is, by using a starter gun and saying, "shoot her," to threaten and demand money and personal property from the employees, and otherwise threatening the employee of the Rite Aid convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 28, 2002, the CVS/Pharmacy convenience store, located at 518 Port Royal Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of cigarettes and other consumer items in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about April 24, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS and  
ANTOINE HARRISON**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendant unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately twenty cartons of cigarettes (retail value: approximately \$300), from the person and presence of employees of the CVS/Pharmacy convenience store, against their will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession belonging to the CVS/Pharmacy convenience store, that is, by using a starter gun, threatening to shoot an employee, striking the employee on the head with the butt of the starter gun, and otherwise threatening employees of the CVS/Pharmacy convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about May 7, 2002, the Mobil convenience store, located at 4400 City Line Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about May 7, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$140 in cash and an undetermined number of cartons of cigarettes, from the person and presence of an employee of the Mobil convenience store, against her will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to her person and property, and property in her custody and possession belonging to the Mobil convenience store, that is, by using a starter gun to threaten and demand money and personal property from the employee and otherwise threatening the employee of the Mobil convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about May 7, 2002, the 7-Eleven convenience store, located at 9001 Frandkford Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about May 7, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, an undetermined amount of cash, emptying the cash register, and merchandise of undetermined value, from the person and presence of an employee of the Mobil convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the 7-Eleven convenience store, that is, by using a starter gun and knife to threaten and demand money and personal property from the employee, cutting the employee on the hand, and otherwise threatening the employee of the 7-Eleven convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**



COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about May 7, 2002, the A-Plus/Sunoco convenience store, located at 59 East Oregon Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of gasoline, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about May 7, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, an undetermined amount of cash, emptying two cash registers, from the person and presence of an employee of the A-Plus/Sunoco convenience store, against his will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to his person and property, and property in his custody and possession belonging to the A-Plus/Sunoco convenience store, that is, by using a starter gun and knife to threaten and demand money and personal property from the employee, hitting the employee on the head with the butt of the starter gun, and otherwise threatening the employee of the A-Plus/Sunoco convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about May 9, 2002, the 7-Eleven convenience store, located at 5231 Harbison Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of fast food, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about May 9, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$600 in cash and other items of value, from the person and presence of employees of the 7-Eleven convenience store, against their will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession belonging to the 7-Eleven convenience store, that is, by using a starter gun and knife to threaten and demand money and personal property from the employees, striking an employee on the head with the butt of the starter gun, hitting the employee with a cigarette rack, and otherwise threatening the employees and patrons of the 7-Eleven convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

COUNT EIGHTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about May 9, 2002, the CVS/Pharmacy convenience store, located at 1901 Oregon Avenue, Philadelphia, Pennsylvania, was engaged in the retail sale of pharmaceuticals, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about May 9, 2002, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**JOSEPH DAVIS,  
STEPHEN KONCE, and  
SHAWN JONES**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, property, specifically, approximately \$10,240 in cash (approximately \$9,900 from the convenience store plus approximately \$340 from patrons) from the person and presence of employees of the CVS/Pharmacy convenience store and from its patrons, against their will by means of actual and threatened force, and violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession belonging to the CVS/Pharmacy convenience store, that is, by using a starter gun and knife to threaten and demand money and personal property from employees and patrons, kicking a security guard in the head, and otherwise threatening the employees and

patrons of the CVS/Pharmacy convenience store.

**In violation of Title 18, United States Code, Sections 1951(a) and 2.**

A TRUE BILL:

---

FOREPERSON

---

PATRICK L. MEEHAN  
United States Attorney